



**HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.**

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March 4, 2011

To: Senator Steve Cassano, Co-Chairman  
Representative Linda M. Gentile, Co-Chairman  
Members of the Planning and Development Committee

From: Bill Ethier, Chief Executive Officer

Re: Senate Bill 686, AAC Applications to the State Traffic Commission and a Study of Land use Permitting Procedures

The HBA of Connecticut is a professional trade association with 1,100 member firms statewide, employing tens of thousands of Connecticut citizens. Our members, all small businesses, are residential and commercial builders, land developers, home improvement contractors, trade contractors, suppliers and those businesses and professionals that provide services to our diverse industry. Our members build 70% to 80% of all new homes and apartments in the state each year.

**We strongly support SB 686 both to correct an unnecessary permitting delay caused by the State Traffic Commission (STC), and to have the PRI Committee corroborate (which we believe will be the result) our position that draconian and numerous permitting procedures at the local and state level make it very difficult to get anything built in this state.**

We thank you for raising the STC portion of the bill as the delays experienced with this state agency have been a long-standing issue with many of our members. The DEP, which is often held out as the noose around the neck of economic growth, does not hold a monopoly on state permitting delays. The STC and DOT can also impose significant delays and extra costs on economic and housing development.

The Transportation Committee has raised two companion bills to address STC permitting delays and other issues, SB 824 and SB 825, and we urge you to coordinate your efforts in remedying these permitting issues with that committee.

As background, any project, including a single driveway, that abuts or goes onto a state highway, or any work in a state highway, must obtain an Encroachment Permit from one of the four DOT district offices. The permit review can involve all aspects of the site, from traffic, drainage, landscaping, etc. The DOT does not process these permit applications until after local approvals are obtained. The DOT Districts, relative to the STC/DOT process below, have been pretty fair in their permits on projects. The DOT District process can take 1-3 months, occasionally longer, but again it's a sequential process that comes after local approvals.

However, if a project surpasses a size threshold, set by STC regulations adopted and not amended since 1984, of having 200 parking spaces or 100,000 square feet, the STC considers the development a Major Traffic Generator and you must then obtain from the

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STC a Certificate of Operation. For residential subdivisions, you add up the sq. ft. of all the proposed homes to determine if 100,000 sq. ft. is surpassed, i.e., 46 homes of 2,200 sq. ft each, or 34 homes of 3,000 sq. ft. each, and so on.

The STC requires a very detailed application for traffic, drainage and other impacts, extending far beyond the site itself. The STC relies on the DOT to review the STC Certificate of Operation application, which can involve many units within the DOT. These DOT units review traffic impacts, drainage, public transportation, right-of-way (ROW) issues, rail impacts, and more. The many DOT units involved clog the process, and it can take 3-6 months minimum, sometimes up to or over a year depending on the issues. Under our statutes, the STC, at its discretion, does not have to act on or approve the Certificate of Operation application until the local town approves the development (SB 824 would repeal that sentence). As a matter of practice, the STC routinely does not process these applications until local approvals are obtained, so the STC/DOT time frame is sequential, not concurrent, with local approvals. And, then the STC approval must be in place before the first building permit is issued by the town.

And, if that wasn't enough, if you have all approvals in hand, from the local government and the STC/DOT, any change to the development, even if it results in a reduction in traffic, requires a resubmission to the STC for further review.

Section 1 of SB 686 merely tells the STC that it shall not wait for local approvals before accepting, and processing to the extent practicable, Certificate of Operation applications submitted to the agency. We urge you to expand this requirement to Encroachment Permits submitted to DOT. The companion bills in Transportation, we hope, will address the threshold issue and other aspects of the STC/DOT permitting program, and we strongly urge you to pass SB 686 as part of this necessary reform process.

We also support the study of local and state permitting requirements and processes proposed in section 2 of the bill. We have long complained about the lengthy, uncertain, costly, often abusive, permitting process at the local and state level. An independent study by the Program Review and Investigations Committee will, we believe, corroborate what we have said regarding the difficulties in getting projects of many types approved in Connecticut. And, we hope lead to further reform to make CT an inviting place to get things done.

Thank you for the opportunity to comment on this legislation.